

Hon. James L. Robart

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

615 SW AMBAUM CONDO
ASSOCIATION,

Plaintiff,

v.

ASPEN SPECIALTY INSURANCE
COMPANY,

Defendant.

NO. 2:23-cv-00571-JLR

STIPULATED MOTION AND
[PROPOSED] ORDER TO STAY

NOTED ON MOTION CALENDAR:
MAY 9, 2023

STIPULATION

Plaintiff 615 SW Ambaum Condo Association (“Ambaum”) and Defendant Aspen
Specialty Insurance Company (“Aspen”), stipulate and agree as follows:

1. Ambaum is the association of owners who own condominiums in a building located
at 615 SW Ambaum Boulevard, Burien, King County, Washington (“Condo”).
2. This is an insurance coverage lawsuit arising from a March 13, 2021 fire at the
Condo.
3. Aspen provided property insurance coverage to Ambaum for the March 13, 2021 fire.

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GORDON TILDEN THOMAS CORDELL	600 University Street Suite 2915 Seattle, WA 98101 206.467.6477
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4. Ambaum filed a Complaint in King County Superior Court against Aspen seeking additional payment under the Aspen policy resulting from the fire.
5. Aspen timely removed this lawsuit to federal court.
6. Ambaum filed suit solely to preserve its rights under the Aspen insurance policy, which contains a provision stating that suit must be filed within two years after the date of loss.
7. Ambaum filed suit before the repairs to the Condo were complete solely to avoid waiving rights against Aspen.
8. As a result, Ambaum's insurance claim remains pending and is still being adjusted, and this case is not ripe for final resolution.
9. Ambaum and Aspen ask the Court to stay this matter until November 30, 2023.
10. If the Court enters the requested stay, Ambaum and Aspen stipulate that they will not take any action related to this lawsuit without Court approval until November 30, 2023, at which time they will (1) advise the Court that this case is ripe for resolution and/or litigation or (2) request a continuance of the stay.
11. Either party may ask the Court to terminate this stay upon 30 days' written notice to the other party.

1 DATED this 9th day of May, 2023.

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3 **GORDON TILDEN THOMAS & CORDELL LLP**

4 Attorneys for Plaintiff

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6 By s/

7 Kasey D. Huebner, WSBA #32890
8 600 University Street, Suite 2915
9 Seattle, Washington 98101
10 206.467.6477
11 khuebner@gordontilden.com
12
13
14

15 DATED this 9th day of May, 2023.

16
17 **PREG O'DONNELL & GILLET PLLC**

18 Attorneys for Defendant

19
20 By s/ Justin E. Bolster

21 Justin E. Bolster, WSBA #38198
22 901 Fifth Avenue, suite 3400
23 Seattle, WA 98164
24 206.287.1775
25 Email: jbolster@pregodonnell.com
26
27
28

29 DATED this 9th day of May, 2023.

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31 **LOBMAN, CARNAHAN, BATT, ANGELLE &
32 NADER**

33 Attorneys for Defendant

34
35 By s/ Charles R. Rumbley

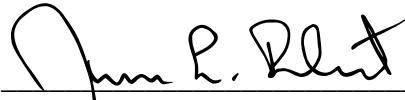
36 Benjamin J. Russell, *Pro Hac Vice*
37 Charles R. Rumbley, *Pro Hac Vice*
38 James P. Nader, *Pro Hac Vice*
39 500 Poydras Street, Suite 2300
40 New Orleans, LA 70130
41 504.586.9292
42 Email: bjr@lcba-law.com;
43 crr@lcba-law.com;
44 jpn@lcba-law.com;
45

[PROPOSED] ORDER

This matter is stayed until November 30, 2023. On or before November 30, 2023, the parties will (1) advise the Court that this case is ripe for resolution and/or litigation or (2) request a continuance of the stay for good cause.

Either party may ask the Court to terminate this stay upon 30 days' written notice to the other party.

DATED this 9th day of May, 2023.



The Honorable James L. Robart
U.S. District Court Judge